

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAKEDA PHARMACEUTICAL CO., LTD,
et al.,

Plaintiffs,

v.

HANDA PHARMACEUTICALS, LLC,
AND PAR PHARMACEUTICALS,

Defendants.

**ORDER TO FILE COURT'S FINDINGS
OF FACT AND CONCLUSIONS OF LAW
UNDER SEAL**

Case No. C-11-00840 JCS

TAKEDA PHARMACEUTICAL CO., LTD,
et al.,

Plaintiffs,

v.

TWI PHARMACEUTICALS, INC.,

Defendant.

Case No. C-11-01609 JCS

TAKEDA PHARMACEUTICAL CO., LTD,
et al.,

Plaintiffs,

v.

IMPAX LABORATORIES, INC.,

Defendant.

Case No. C-11-01610 JCS

1 The Court hereby ORDERS that its October 17, 2013 Findings of Fact and Conclusions of
2 Law [Docket No. 446, Case No. C-11-00840 JCS; Docket No. 330, Case No. C-11-01609 JCS;
3 Docket No. 341, Case No. C-11-01610 JCS] is under seal. The Court intends to publish the entire
4 opinion in the public record within thirty (30) days of the date of this Order. If any party believes
5 that the Court's opinion contains any confidential information entitled to protection, that party
6 shall file with the Court a declaration establishing such entitlement and any proposed redactions
7 not later than 21 days from the date of this Order.

8 The Court notes that the standard for sealing any portion of its opinion is high because of
9 the strong presumption in favor of public access that adheres to judicial documents. *Kamakana v.*
10 *City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). In the case of a decision on
11 the merits, a party can overcome this presumption only by articulating compelling reasons
12 supported by specific facts. *Id.* Further, "[t]here can be no secrets in previously publicly
13 disclosed records." *Cooke v. Town of Colorado City, Ariz.*, 2013 WL 3155411 (D.Ariz., June 20,
14 2013). Thus, to the extent that none of the evidence offered at trial was submitted under seal,
15 information already revealed in the parties' trial exhibits will not be redacted from the Court's
16 opinion.

17 IT IS SO ORDERED.

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19 Dated: October 17, 2013

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22 JOSEPH C. SPERO
23 United States Magistrate Judge
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